

HOUSE JOINT RESOLUTION 01

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

George J. Hanosh

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF NEW MEXICO TO PROVIDE THAT, IN THE CASE OF A VACANCY IN THE OFFICE OF LIEUTENANT GOVERNOR, THE GOVERNOR SHALL FILL THE OFFICE BY APPOINTMENT BUT THAT THE APPOINTEE SHALL NOT TAKE OFFICE UNTIL CONFIRMED BY BOTH HOUSES OF THE LEGISLATURE.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. It is proposed to amend Article 5, Section 5 of the constitution of New Mexico to read:

"The governor shall nominate and, by and with the consent of the senate, appoint all officers whose appointment or election is not otherwise provided for and may remove any officer appointed by him unless otherwise provided by law.

Should a vacancy occur in any state office, except [~~lieutenant governor and~~] member of the legislature, the governor shall

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underscored material = new
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underscored material = new
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1 fill such office by appointment, and such appointee shall hold
2 office until the next general election, when his successor
3 shall be chosen for the unexpired term; provided that a
4 gubernatorial appointee to fill a vacancy in the office of
5 lieutenant governor shall not take office until confirmed by a
6 majority vote of both houses of the legislature."

7 Section 2. The amendment proposed by this resolution
8 shall be submitted to the people for their approval or
9 rejection at the next general election or at any special
10 election prior to that date that may be called for that
11 purpose.

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